

The Honorable Will Wynn, Mayor  
And Members of the City Council  
C/o Virginia Collier  
Department of Transportation & Sustainability Department  
Sustainability Division  
P.O. Box 1088  
Austin, TX 78767

**RE: Owner's Petition for Limited and Full Purpose Annexation of  
Scarborough Business Park**

Dear Mayor Wynn:

Pursuant to §43.129 of the Texas Local Government Code, the undersigned owner ("the Owner") of the approximately 67.311 acres of land commonly known as Scarborough Business Park, which land is further described in Exhibit A ("Project"), does hereby petition the City of Austin ("City"), Texas to annex the Project for the limited purposes of planning and zoning.

Further, pursuant to §43.127 (a) of the Texas Local Government Code, owner hereby waives the City's obligation to annex the land described in Exhibit A for full purposes within three years of the date of limited purpose annexation and instead request and authorize the City to annex the land described in Exhibit A for full purposes according to the following schedule:

1. Beginning December 31, 2005, full purpose annexation of any portion of the land described in Exhibit A for which a final plat has been duly recorded in the Plat Records of Travis County, Texas and any land described in Exhibit A determined to be necessary, in the City's sole discretion, to establish contiguity between the platted land and the existing full purpose corporate limits.
2. Full purpose annexation of additional areas within the land described in Exhibit A for which a final plat has been duly recorded in the Plat Records of Travis County, Texas (and including any land necessary to establish contiguity with the full purpose corporate limits) effective on or before December 31st of each year thereafter until December 21, 2013, at which time all remaining portions of the land described in Exhibit A not previously annexed for full purposes may be annexed for full purposes.

**LIT INDUSTRIAL TEXAS LIMITED  
PARTNERSHIP**, a Delaware limited partnership

By: LIT-FTGP, L.L. C., a Delaware limited liability company, its general partner

By: LIT Industrial Limited Partnership, a Delaware limited partnership, its sole member

By: LIT Holdings GP, LLC, a Delaware limited liability company, its sole general partner

By: Lion Industrial Properties, L.P., a Delaware limited partnership, its sole member

By: LIT GP Sub, LLC, a Delaware limited liability company, its sole general partner

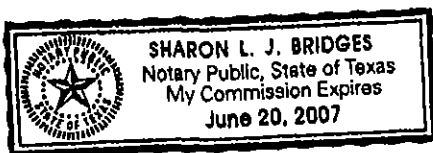
By: Lion Industrial Trust, a Maryland real estate investment trust, its sole member and manager

By: Jeanna Camp  
Name: Jeanna Camp  
Title: Vice President

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 31<sup>st</sup> day of Aug, 2005, by Jeanna Camp, Vice President of LIT Industrial Texas Limited Partnership, a Delaware corporation on behalf LIT-FTGP, L.L.C., a Delaware limited liability company, its general partner on behalf of LIT Industrial Limited Partnership, a Delaware limited partnership, its sole member on behalf of LIT Holdings GP, L.L.C., a Delaware limited liability company, its sole general partner on behalf of Lion Industrial Properties, L.P., a Delaware limited partnership, its sole member on behalf of LIT GP Sub, L.L.C., a Delaware limited liability company, its sole general partner on behalf of Lion Industrial Trust, a Maryland real estate investment trust, its sole member and manager, on behalf of said partnership.



Sharon L. Bridges  
Notary Public, State of Texas

ORDINANCE NO.

19  
1-26-06

1 AN ORDINANCE ADOPTING A REGULATORY PLAN FOR AN AREA  
2 ANNEXED FOR LIMITED PURPOSES, REFERRED TO AS THE  
3 SCARBROUGH SUBDIVISION AREA.

4  
5 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
6

7 PART 1. The Council finds that:

8 (A) The area referred to as the Scarbrough Subdivision Area is being annexed by  
9 Ordinance No. 20060126-018, for the limited purposes of planning and  
10 zoning, and a Planning Study and Regulatory Plan for the area were  
11 prepared as required by state law.

12 (B) The Regulatory Plan included in Exhibit A attached to this ordinance serves  
13 the public health, safety and welfare, and the interests of the current and  
14 future residents of the City of Austin.

15 PART 2. The Regulatory Plan included in Exhibit A attached to this ordinance is  
16 approved as the Regulatory Plan for the Scarbrough Subdivision Area limited purpose  
17 annexation area.

18 PART 3. This ordinance takes effect on \_\_\_\_\_, 2006.

19 PASSED AND APPROVED

20  
21  
22  
23 \_\_\_\_\_, 2006

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

24  
25  
26  
27  
28 APPROVED: \_\_\_\_\_  
29 David Allan Smith  
30 City Attorney

ATTEST: \_\_\_\_\_  
Shirley A. Gentry  
City Clerk